



# KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

**May 3, 2010**

The Knightdale Town Council met at 7:00 p.m. at Knightdale Town Hall, 950 Steeple Square Court, Knightdale, NC.

**PRESENT:** Mayor Russell Killen; Mayor Pro Tem Mike Chalk; Councilors Jeff Eddins, Terry Gleason, Tim Poirier, and James Roberson.

**ABSENT:** No one.

**Staff Members Present:** Clyde Holt, Town Attorney; Seth Lawless, Town Manager; Suzanne Yeatts, Town Clerk/HR Director; Chris Hills, Planning Director; Fred Boone, Town Engineer; Tina Cheek, Parks and Recreation Director; James Overton, Finance Director; Jeff Triezenberg, Planner II; Jennifer Currin, Planner II; Ken Tyndall, Ordinance Enforcement Officer.

Meeting called to order by Mayor Killen at 7:00 p.m.

## WELCOME

Welcome by Mayor Killen.

## INVOCATION

Invocation by Councilor Roberson.

## ITEM I. ADOPTION OF AGENDA

**...Motion by Councilor Eddins to adopt the agenda.  
Motion seconded by Councilor Gleason and carried  
unanimously.**

## ITEM II. APPROVAL OF MINUTES

April 21, 2010

**...Motion by Councilor Roberson to approve the minutes of April 21, 2010. Motion seconded by Councilor Poirier and carried unanimously.**

ITEM III. PRESENTATIONS, RECOGNITIONS, AWARDS

A. Mayor's Employee Award

Mayor Killen presented the Mayor's Employee Award to Ken Tyndall, Ordinance Enforcement Officer in the Planning Department, for additional duties he has taken on within the last several months.

B. Youth Gang Awareness Proclamation

Mayor Killen proclaimed May 2010 as Youth Gang Awareness and Prevention Month and noted the importance of addressing gang issues.

C. Knightdale Park Presentation

Zak Pierce of CLH Design presented revised plans for the proposed park and answered questions from Council.

Councilor Roberson questioned the need to include tennis courts in the plan.

Chelsea Sumner, Parks and Recreation Advisory Board teen member, spoke in favor of the proposed park.

Cathy Meeler, Chair of the Old Town Oversight Committee, presented a letter in support of the park with additional recommendations. *Letter attached as Exhibit A and made part of the minutes.*

Richy Narron, 315 Sallinger Street, requested adding tennis courts to the park plan.

Myron Kelly, 409 Third Avenue, expressed concern over multi-purpose fields being labeled as soccer fields and the size of the playground in relation to fields.

Stephen Morgan, Land Use Review Board member, questioned the need for additional multi-purpose fields.

George Lloyd, Parks and Recreation Advisory Board Chairman, reviewed survey results in relation to the proposed plan.

Leah Fleischhauer of World Karate Do requested consideration of landscaping and lighting from a public safety standpoint and suggested installing security telephones.

Paula Gavasto, 418 Mingocrest Drive, noted she is a member of the Parks and Recreation Advisory Board but speaking as a citizen, feels there are too many soccer fields and the town needs a skateboard park, additional tennis courts, and basketball courts.

Mark Swan, Land Use Review Board member, spoke in support of the concept with only two multi-purpose fields.

Tabitha Hagan, 902 Willowedge Court, noted basketball was ranked high in the survey results and should be included in the initial phase of the plan.

Mayor Killen voiced his support of the plan with three multi-purpose fields and additional parking.

Mayor Pro Tem Chalk offered the following suggestions:

- grading at amphitheatre for easier maintenance and less cost
- including three fields not labeled as soccer
- temporary field use of area proposed for community center
- additional parking
- security telephones

Mayor Pro Tem Chalk also noted basketball courts have been delayed due to the cost of constructing the community center.

Councilor Poirier noted his support of multi-purpose fields not being used only for soccer and suggested including an outdoor basketball court.

Councilor Roberson reiterated the need for a skateboard park.

#### ITEM IV. PUBLIC

**Anyone may speak on an issue not included on tonight's agenda. Before speaking, please state your name and address.**

A. Open to the Public

Paula Gavasto, 418 Mingocrest Drive, voiced concern over trash on the side of roads in town and requested installation of trashcans and recycle bins.

B. Report on Citizen Inquiries

None at this time.

ITEM V. CONSENT AGENDA

A. National Physical Activity Plan Launch Day Proclamation  
**Proclaim May 3, 2010 as National Physical Activity Plan Launch Day.**

B. Municipal Clerks Week Proclamation  
**Proclaim May 2 through May 8, 2010 as Municipal Clerks Week.**

C. Town Manager Employment Contract  
**Approve Contract as presented by Town Attorney.**

**...Motion by Councilor Poirier to adopt the consent agenda. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.**

ITEM VI. ACTIONS REQUIRING PUBLIC HEARINGS

**When speaking during a public hearing, please state your name and address clearly before speaking. Please designate a spokesperson for large groups. If you anticipate speaking tonight, please print your name and address on the form located on the entry table. If the Mayor announces that the hearing is a quasi-judicial public hearing, all speakers must be administered an oath by the Town Attorney. Everyone must speak from the podium to assure an accurate record of testimony.**

A. Water Allocation Policy Amendments

Public hearing opened at 8:03 p.m.

Chris Hills, Planning Director, presented proposed changes to the Water Allocation Policy recommended by staff and the Planning and Engineering Committee. Mr. Hills gave examples of how the amendments would have affected current development.

Council discussed the use of points in the policy.

Town Attorney Clyde Holt explained that the original policy was adopted after extensive research and with the intention of providing a tax base sufficient to pay for the cost of services provided.

Tabitha Hagan, 902 Willowedge Court, spoke in support of the policy.

No one else approached.

**...Motion by Councilor Poirier at 8:24 p.m. to close the public hearing and refer the Water Allocation Policy Amendment to the May 10, 2010 Land Use Review Board meeting. Motion seconded by Councilor Gleason and carried unanimously.**

B. Laurel Crossing Zoning Map Amendment

Public hearing opened at 8:25 p.m.

Planner Jennifer Currin presented a zoning map amendment to rezone approximately 6 acres located at 741 North Smithfield Road from Highway Business (HB) to Neighborhood Mixed Use Conditional District (NMX CD) in order to develop the property as a 60 unit multi-family dwelling.

Ms. Currin noted staff's recommendation to refer the item to the May 10, 2010 Land Use Review Board meeting and answered questions from Council.

Town Manager Seth Lawless noted the need for a sidewalk along Smithfield Road for pedestrian traffic.

Tom Worth, Attorney representing Greenway Residential Development, LLC, reported contact with surrounding property owners regarding rights of way and noted the proposal is compliant with the Town's comprehensive plan.

John Wood, Architect with Cline Design Associates, reviewed the plan and answered further questions from Council.

Councilor Eddins exited at 8:54 p.m. without a motion to be excused.

Leah Fleischhauer of World Karate Do asked how the development would affect adjoining property.

No one else approached.

**...Motion by Councilor Gleason at 9:03 p.m. to close the public hearing and refer ZMA-1-10 to the May 10, 2010 Land Use Review Board meeting. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.**

C. Mingo Village Utility Allocation Agreement *continued*

Public hearing continued at 9:04 p.m.

Town Attorney Clyde Holt reviewed the agreement and explained the related item included later in the agenda regarding a senior living facility. Mr. Holt noted the agreement is still being refined and if Council authorizes execution, there will be minor changes to the document presented.

Council discussed the need for a traffic signal.

Jason Barron, Attorney with K&L Gates, 4350 Lassiter at North Hills, representing the applicant, noted that although the project represents a small amount of traffic at the intersection, his client agrees to pay for installation of a traffic signal or a fee in lieu. Mr. Barron also noted that contact with the homeowners association is an obligation they will satisfy.

Mayor Killen encouraged Mr. Barron to contact the Mingo Creek Homeowners Association in the near future.

Town Manager Seth Lawless commented on the opportunity for a playground, pool upgrades, or sidewalk installation rather than a fee in lieu of recreation.

Mayor Killen responded that the elementary school is considering a playground option.

Tabitha Hagan, 902 Willowedge Court, spoke on behalf of the homeowners association, stating the board meetings regarding this project occurred during September 2008 and September 2009 and Tim Morgan had not contacted the association until last week. Ms. Hagan suggested consideration of each phase at the time it is to be developed as a separate project and noted that the final phase of the Mingo Creek subdivision is currently on the planning board's agenda.

Mayor Killen responded noting the senior living portion of the project is being considered in order for the applicant to secure county financing.



Mr. Barron commented that the applicant will have to go through the site plan approval process for the senior living facility.

Town Engineer Fred Boone noted that he has received a fee in lieu estimate but has not approved yet.

No one else approached.

Public hearing closed at 9:40 p.m.

**...Motion by Mayor Pro Tem Chalk to approve Mingo Village Utility Allocation Agreement and authorize the Mayor to sign for Phases I and II subject to approval by the Town Engineer, Town Manager, and Town Attorney. Motion seconded by Councilor Roberson and opposed by Councilor Poirier. Motion carried with a 4 to 1 vote. (Councilor Eddins' absence counted as affirmative vote per G.S. 160A-75)**

ITEM VII. SET PUBLIC HEARINGS

Knightdale Park Land Acquisition and Financing

James Overton, Finance Director, requested scheduling a public hearing for May 19, 2010 to consider park land acquisition and financing.

**...Motion by Councilor Roberson to set public hearing for Knightdale Park Land Acquisition and Financing for May 19, 2010. Motion seconded by Councilor Gleason and carried unanimously.**

ITEM VIII. TOWN ATTORNEY

Nothing at this time.

ITEM IX. OLD BUSINESS

None at this time.

ITEM X. NEW BUSINESS

Mingo Springs Letter of Support Request

Planning Director Chris Hills reviewed Evergreen Construction's request for a letter of support for the Mingo Springs Senior Apartment Project. The proposed project would be phase II of the Mingo Village Apartment complex and would contain 48 residential

apartment units. The project would be required to comply with all UDO, Water Allocation Policy, and Construction Standards and Specifications in place at the time of plan submittal.

**...Motion by Mayor Pro Tem Chalk to authorize the Mayor to issue a letter to Wake County Commissioners in support of Mingo Springs. Motion seconded by Councilor Gleason and opposed by Councilor Poirier. Motion carried with 4 to 1 vote. (Councilor Eddins' absence counted as affirmative vote per G.S. 160A-75)**

#### ITEM XI. OTHER BUSINESS

Mayor Killen asked planning staff to revisit the pine straw issue in multi-family and commercial developments.

Planning Director Chris Hills responded that the current ordinance addresses the pine straw issue.

#### ITEM XII. COMMITTEE REPORTS

##### A. Planning and Engineering

No report.

##### B. Budget

Mayor Pro Tem Chalk reported ongoing meetings to review departmental budget requests.

##### C. Public Safety

Councilor Poirier announced the Town's receipt of a FEMA grant in the amount of \$102,973 to purchase the following equipment:

- 10 portable radios
- 2 mobile data terminals
- 55 MSA clear command system voice amplification boxes
- 1 radio repeater
- 1 full set of IFSTA training manuals and DVDs

Councilor Poirier also noted that Congressman Miller plans to present the check to the Town at the first meeting in June.

##### D. Nominating

No report.

##### E. Liaison Reports

No report.




ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

**...Motion by Councilor Poirier to enter closed session at 9:57 p.m. for discussion of personnel matter. Motion seconded by Councilor Gleason and carried unanimously.**

Resumed open session at 10:06 p.m.

ITEM XIV. ADJOURNMENT

**...Motion by Councilor Poirier to adjourn at 10:07 p.m. Motion seconded by Councilor Gleason and carried unanimously.**

  
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Mayor Russell B. Killen

  
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Town Clerk Suzanne M. Yeatts